



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,742	01/05/2004	Michael K. Au	CA920030049US1 (292)	3098
46320 7590 06/30/2009 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487				
EXAMINER DUNHAM, JASON B				
ART UNIT 3625		PAPER NUMBER		
MAIL DATE 06/30/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: MICHAEL K. AU, CONAN MING Y. CHAN,
SAU CHU CHAN, LEV MIRLAS
and ALEX SHUM

Application No. 10/751,742
Technology Center 3600

Mailed: June 30, 2009

Before Deborah L. PERRY, *Supervisory Paralegal Specialist, Review Team*
PERRY, *Supervisory Paralegal Specialist, Review Team*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 4, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on November 30, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to consider the Reply Brief filed November 30, 2008, as indicated above; and
- 2) for such further action as may be appropriate.

DLP/klh

STEVEN M. GREENBERG
CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP
950 PENINSULA CORPORATE CIRCLE
SUITE 3020
BOCA RATON, FL 33487